

REMARKS

Claims 1-9 are pending in the application. Claims 1 and 7 are amended to specify that the receiver unit (4) uses the time shift (Δt) to determine a correct time value for the reception time (t_0). Support for the amendments to claims 1 and 7 may be found, for example, on page 4, line 19 to page 5, lines 1-6. No new matter has been added.

Objections to the Drawings

The drawings are objected to over not having sufficiently descriptive labels. In particular, the Examiner requires Figures 1 and 5 to be labeled as prior art, Figures 3, 4, 6, and 7 to contain descriptive titles, and Figure 2 to include descriptive labels for boxes "A," "B," and "4." In compliance with the Office Action, Applicant provides replacement drawings including the required changes. All titles and descriptions may be found in the specification in the descriptions of the drawings on pages 5 and 6, the reference numeral list on page 9, and in the detailed description of the invention. No new matter is added.

Objections to the Claims

Claims 1, 3, 7, and 9 are objected to over informalities related to lack of antecedent basis. The suggestions kindly provided by the Examiner have been incorporated in to the objected claims by amendment.

Claims Rejections 35 U.S.C. 112

Claims 1-9 are rejected by the Examiner under **35 U.S.C. 112, second paragraph**. Claims 1, 3, 4, 5, and 7-9 are rejected over the terms "(A0, B0)," (Amp_{\max} , T_s), and (A, B)." In response to the Examiner's rejections, these terms have been removed from the claims.

Claims Rejections 35 U.S.C. 103

Claims 1, 2, and 4-8 are rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art (AAPA) in view of Eshita (JP 2003-050145). The Examiner's rejection has been carefully considered.

Applicant has amended claim 1 to specify that receiver unit (4) uses the time shift (Δt) to determine a correct time value for the reception time (t_0). Applicant believes that claim 1, as amended, overcomes the rejections because Eshita does not teach or suggest a sensor that determines a time (t_1) of a value characteristic of the ultrasonic signal as well as a time shift (Δt) of the time (t_1) relative to the reception time (t_0) and using the time (t_1) and time shift (Δt) to determine the correct time value for time (t_0).

Claims 3 and 9 are rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of Eshita (JP 2003-050145) and further in view of Bolström (US 4,933,915). The Examiner's rejection has been carefully considered.

Applicant believes that claim 1, as amended, is not unpatentable over AAPA in view of Eshita for reasons already provided. The addition of Bolström does not teach or suggest a sensor that determines a time (t_1) of a value characteristic of the ultrasonic signal as well as a time shift (Δt) of the time (t_1) relative to the reception time (t_0) and using the time (t_1) and time shift (Δt) to determine the correct time value for time (t_0).

Additionally, Bolström teaches an invention that measures the volume of a static fluid in a tank by detecting acoustic waves that reflect from the under side of the interface between the surface of the fluid and the air above. Eshita teaches a method of using ultrasonic pulses sent from a transducer to a receiver to measure the flow rates of fluids including gasses. One of ordinary skill in the art at the time that the invention

was made would have had no motivation to combine the two inventions because they use disparate methods to perform different functions.

In view of the amendment to claim 1 and the foregoing arguments, Applicant respectfully requests that the rejection of claims 1-9 under 35 U.S.C. 103(a) be withdrawn.

Conclusion

The application in its amended state is believed to be in condition for allowance. Action to this end is courteously solicited. Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,



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